



**MINUTES OF THE PUBLIC HEARING OF  
MONDAY, OCTOBER 20, 2014  
AT 200 HIGHLANDS BOULEVARD DRIVE  
REGARDING A PROPOSED AMENDMENT TO THE FLOOD PLAIN  
MANAGEMENT PROVISIONS OF THE  
CITY'S ZONING ORDINANCES**

Mayor David L. Willson called the Public Hearing of the Board of Aldermen to order at 7:00 p.m.

Roll call showed those present were Alderman Clement, Alderman Stevens, Alderman Hamill, Alderman Ottenad, Alderman Schrader, Alderman Diehl, Mayor Willson and Attorney Gunn. A quorum was present.

The following notice of the public hearing was then read:

“The City of Manchester Board of Aldermen shall hold a public hearing on Monday, October 20, 2014 at 7:00 p.m. at the Manchester Police Facility, 200 Highlands Boulevard Drive, to consider the following:

Proposed Amendment to the Flood Plain  
Management Provisions of the City's  
Zoning Ordinances to comply with  
modifications mandated by the recently  
amended Flood Disaster Protection Act of 1973.”

Mayor Willson stated that first we would hear from the proponents, then the opponents, comments from the public and comments from the Board of Aldermen.

City Administrator Andy Hixson stated that from time to time the Federal Government changes, updates laws and regulations. They made some changes and the City has been asked to adopt them.

Alderman Clement asked what the City is to conform to.

City Attorney Patrick Gunn answered that these changes are very technical and there are several that relate to the management of the flood plain.

Director of Public Works Bob Ruck stated that they have relined their map. Some properties have been pulled out of the flood plain and there have been some properties added.

Alderman Clement asked if other municipalities are doing the same thing.

City Attorney Patrick Gunn responded that there is no choice. He said when the City of Manchester received this information, it was sent it to Horner and Shifrin and they advise it does comply with FEMA regulations.

Alderman Ottenad asked if Culver's needs to get a Flood Plain Development Permit.

City Attorney Gunn answered he is unaware of that. He said they don't have their permit yet so they will be subject to this regulation if it affects them.

Mr. Siemer stated that for insurance purposes, they need to raise the building up out of the flood plain.

Attorney Gunn said the question is what the changes are, and there are a lot of changes. This is very technical because they are the engineers. He said there is already something on the City's books, this would be an update.

Mayor Willson closed the public hearing at 7:07 p.m.

Respectfully submitted,

Ruth E. Baker, MMC/MRCC-S  
City Clerk

***Note:** This is a journal of the Public Hearing held October 20, 2014 regarding a Proposed Amendment to the Flood Plain Management Provisions of the City's Zoning Ordinances, (summary); not a verbatim transcript. If a recording of the public hearing is desired, please contact City Hall.*



**MINUTES OF THE REGULAR BOARD OF ALDERMEN MEETING  
OF MONDAY, OCTOBER 20, 2014  
AT 200 HIGHLANDS BOULEVARD DRIVE**

1. CALL TO ORDER

Mayor David L. Willson called the Regular Board of Aldermen meeting to order at 7:07 p.m.

2. ROLL CALL AND STATEMENT OF QUORUM

Roll call showed those present were Alderman Clement, Alderman Stevens, Alderman Hamill, Alderman Ottenad, Alderman Schrader, Alderman Diehl, Mayor Willson and Attorney Gunn. A quorum was present.

3. APPROVAL OF THE MINUTES

- a. Minutes of the October 6, 2014 Public Hearing regarding a Special Use Permit Request for a restaurant with a drive-through at 14432 and 14444 Manchester Road

Alderman Hamill made the motion to approve the Minutes of the October 6, 2014 Public Hearing regarding a Special Use Permit Request for a restaurant with a drive-through at 14432 and 14444 Manchester Road. The motion was seconded by Alderman Ottenad and carried unanimously, with no objections.

- b. Minutes of the October 6, 2014 Regular Board of Aldermen meeting

Alderman Clement made the motion to approve the Minutes of the October 6, 2014 Regular Board of Aldermen meeting. The motion was seconded by Aldermen Hamill and Ottenad simultaneously, and carried unanimously, with no objections.

4. ESTABLISHMENT OF ORDER OF ITEMS ON THE AGENDA

Alderman Hamill approved the Order of Items on the Agenda, as presented. The motion was seconded by Alderman Clement and carried unanimously, with no objections.

5. CONSIDERATION OF PETITIONS AND COMMENTS FROM THE PUBLIC

- a. Comments from the Public

Mr. Chris Winters, 510 Cardinal Lane, asked how people find out about public hearings involving business of the City.

City Attorney Gunn stated the City's Ordinances and State Statutes require that the City give written notification to those within 185 feet of the subject property. Attorney Gunn stated that, in addition, the notice has been on the City's website.

Mr. Winters asked how high Culver's needs to be raised out of the flood plain.

Mr. Winters asked if it is true that Russell Wirth Lane and Park Avenue have been declared eminent domain by the State.

City Attorney Gunn answered he is not aware of eminent domain being used.

Mr. Winters asked about Harugari Cemetery.

City Attorney Gunn stated that there is supposed to be a lawsuit filed, but he has still not seen one. He said a lawsuit has to be filed to declare the cemetery has been abandoned, and therefore, has been turned over to the City for maintenance.

Mr. Winters asked whether letters from the public would be helpful in situations like this. Then, he asked what the best place would be to learn about things, such as demolishing buildings or eminent domain.

City Attorney answered that residents can check the City's website and/or Planning and Zoning meetings and Board of Aldermen meetings.

## 6. REPORTS FROM THE MAYOR

### a. Proclamation honoring Officer Anthony Davis

Mayor Willson presented a Proclamation to Officer Anthony Davis in regard to his selfless act of heroism involving rescuing and saving a man's life in an apartment fire.

### b. Mayoral Report

Mayor Willson reported that on October 9, along with Chief Walsh and other officers, he attended the American Society (ASIS) luncheon which honored Officer Davis; on October 10, he attended the Lafayette Area Mayors Organization meeting, on October 13 he attended the Planning & Zoning meeting, on October 16 was at the staff meeting. He stated that on October 14 and 16, the City and Board held two budget meetings. He said he has been Mayor since 2008, and he feels those two meetings were the best by far since he has been Mayor. He complimented everyone involved.

## 7. REPORTS FROM THE CITY ADMINISTRATOR

### a. List of Paid Bills (Warrant dates of October 6 -- October 18, 2014)

There were no questions.

8. REPORTS FROM COMMITTEES

a. Planning and Zoning Commission

Alderman Clement advised that the Planning and Zoning Commission did meet on October 13 for a case involving an addition for a home in Ward Two, and the Planning and Zoning Commission did approve it.

b. Manchester Arts

Alderman Stevens stated that Manchester Arts continues to plan for community events. They are doing some more planning and trying to bring new events to the public in the future.

9. ACTION ON OLD BILLS

a. BILL # 14-2203 - AN ORDINANCE CREATING A SPECIAL USE PERMIT FOR A DRIVE-THROUGH FAST-FOOD RESTAURANT

Alderman Schrader read for the second time Bill # 14-2203, entitled: "AN ORDINANCE CREATING A SPECIAL USE PERMIT AND GRANTING THE SAME TO VHSDPS RESTAURANTS, LLC. TO OPERATE A DRIVE-THRU FAST-FOOD RESTAURANT AT 14432 AND 14444 MANCHESTER ROAD, AS PROVIDED FOR IN SECTION 405.285(C)(11) OF THE CODE OF ORDINANCES OF THE CITY OF MANCHESTER", by title only.

Alderman Clement stated that two weeks ago at a Board meeting, they listened to heartfelt comments made about the historical significance of the property. He wanted to say that is important to the community, because we claim interest in history, but the building they are talking about has been empty for eight of the last ten years. He feels at some point the community needs to look at these buildings and decide if we encourage upgrades or do nothing to allow upgrades to those buildings and find new uses for those buildings. He thinks this is a terrific use for this building. He is thankful there is interest in changing and bringing something new into the community.

Alderman Stevens stated there has been discussion about the former Chili's spot. She said to her knowledge the property is not for sale and is under lease and; therefor, that is not an option.

City Attorney Gunn said that Mr. and Mrs. Siemer actually looked at that site, and they were told it is not available.

Alderman Schrader made the motion that Bill # 14-2203 become Ordinance # 14-2090. The motion was seconded by Alderman Clement.

A poll of the Board showed:

Alderman Clement - aye  
Alderman Stevens - aye  
Alderman Hamill - aye  
Alderman Diehl - aye  
Alderman Schrader - aye  
Alderman Ottenad - aye

Mayor Willson announced the motion passed 6 – 0 with no objections.

Mr. Siemer stated that they are required to raise the building about 1 ¼ feet.

10. INTRODUCTION OF NEW BILLS

a. BILL AMENDING THE FLOOD PLAIN MANAGEMENT PROVISIONS OF THE CITY'S CODE

Alderman Diehl introduced Bill # 14-2205, entitled: "AN ORDINANCE AMENDING CHAPTER 410 OF THE CITY OF MANCHESTER CODE OF ORDINANCES RELATING TO FLOOD PLAIN MANAGEMENT", by title only.

No further action at this time.

b. BILL CHANGING THE NAME OF JOHN MORGAN AVENUE

Alderman Ottenad stated this Bill refers to the street that runs alongside of Roy's Auto and in front of Manchester Methodist Church.

Alderman Ottenad introduced Bill # 14-2206, entitled: "AN ORDINANCE CHANGING THE NAME OF JOHN MORGAN AVENUE TO SPC MATTHEW WALKER WAY AND AUTHORIZING THE CITY ADMINISTRATOR OF THE CITY OF MANCHESTER TO CONFIRM WITH THE APPROPRIATE AUTHORITIES THIS CHANGE", by title only.

In addition to the title, Alderman Ottenad then read portions of the proposed Ordinance.

No further action at this time.

c. RESOLUTION AUTHORIZING PURCHASE OF PLAYGROUND EQUIPMENT FOR SCHROEDER PARK

Alderman Stevens read Proposed Resolution # 14-0510, entitled: "A RESOLUTION ACCEPTING THE BID OF LANDSCAPE STRUCTURES, INC. IN AN AMOUNT NOT TO EXCEED FORTY-NINE THOUSAND SIX HUNDRED THIRTY-THREE DOLLARS (\$49,633.00) FOR THE PURCHASE OF PLAYGROUND EQUIPMENT FOR PAUL SCHROEDER PARK", by title only.

Alderman Stevens made the motion that Resolution # 14-0510 be approved. The motion was seconded by Alderman Clement and Alderman Hamill simultaneously, and carried with no objections.

11. MISCELLANEOUS

a. Comments from the Public

There were none.

13. ADJOURNMENT

At 7:32 p.m., there being no further business, Alderman Clement made the motion to adjourn. The motion was seconded by Alderman Hamill and carried unanimously, without objection. The meeting adjourned at 7:32 p.m.

Respectfully submitted,

Ruth E. Baker, MMC/MRCC-S  
City Clerk

***Note:** This is a journal of the Board of Aldermen meeting held October 20, 2014 (summary); not a verbatim transcript. If a recording of the meeting is desired, please contact City Hall.*